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EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3692

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09/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/673,751

Applicant(s)

DESAI, WEALTHY

Examiner

Clement B. Graham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-43, are rejected under 35 U.S.C. 102(b) as being anticipated by Birkhead et al (Hereinafter Birkhead U.S. Pub: 2003/0120591 A1).

As per claim 1, Birkhead discloses a method for providing customer sales information, the method comprising:

- a) sending a request for customer sales information associated with a customer from a member of a business organization to a customer sales information processing and communication (CSIPC) server associated with the business organization using a terminal that is remote from the CSIPC server (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)
- b) retrieving external credit rating information associated with the customer from an external credit rating agency (ECRA) system using the CSIPC server, wherein the ECRA system is not associated with the organization; and
- c) sending the customer sales information from the CSIPC server to the terminal, wherein the customer sales information is based on the external credit rating information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 2, Birkhead discloses wherein the terminal is a wireless communication device and the request is sent to the CSIPC server using a wireless signal. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 3, Birkhead discloses wherein the terminal and the CSIPC server communicate via a public switched telephone network (PSTN). (see column 1 para

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0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 4, Birkhead discloses wherein the terminal and the CSIPC server communicate via the Internet. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 5, Birkhead discloses wherein the customer sales information is sent from the CSIPC server to the terminal as a textual and/or graphical message. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 6, Birkhead discloses further comprising displaying the textual and/or graphical message on a display of the terminal. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 7, Birkhead discloses wherein:

- a) the request includes a first customer identifier corresponding to the customer,
- b) the method further comprises associating the first customer identifier with a second customer identifier using the CSIPC server; and
- c) the step of retrieving the external credit information includes providing the second customer identifier to the ECRA system. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 8, Birkhead discloses wherein the first customer identifier is a telephone number. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 9, Birkhead discloses wherein the customer sales information includes the name of the customer. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 10, Birkhead discloses wherein:

- a) the method further comprises retrieving internal customer information associated with the customer by the business organization from a database

of the CSIPC server; and

b) the customer sales information is also based on the internal customer information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 11, Birkhead discloses wherein the internal customer information includes payment history information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 12, Birkhead discloses further comprising determining an internal customer rating based on both the external credit rating and the internal customer information, wherein the customer sales information includes the internal customer rating. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 13, Birkhead discloses further comprising determining a sales term based on at least one of the external credit rating and the internal customer information, wherein the customer sales information includes the sales term. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 14, Birkhead discloses wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 15, Birkhead discloses wherein:

- a) the terminal is a wireless communication device and the request is sent to the CSIPC server using a wireless signal;
- b) the request includes a telephone number corresponding to the customer;
- c) the method further comprises associating the telephone number with a customer identifier using the CSIPC server (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)
- d) the step of retrieving the external credit information includes providing the customer

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identifier to the ECRA system;

e) the method further comprises retrieving payment history

information associated with the customer by the business organization from a database of the CSIPC server; and

f) the customer sales information is also based on the payment

history information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 16, Birkhead discloses further comprising determining an internal customer rating based on both the external credit rating and the internal customer information, wherein the customer sales information includes the internal customer rating. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 17, Birkhead discloses further comprising determining a sales term based on at least one of the external credit rating and the internal customer information, wherein the customer sales information includes the sales term. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 18, Birkhead discloses wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 18, Birkhead discloses wherein the requester is a sales representative for a vendor of business directory advertisements, and further comprising offering to sell the customer a business directory advertisement. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 20, Birkhead discloses including authenticating the member of the business organization to confirm that the member is authorized to access the customer sales information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 21, Birkhead discloses a method for providing customer sales information, the method : comprising:

- a) sending a request for customer sales information associated with a customer from a member of a business organization to a customer sales information processing and communication (CSIPC) server associated with the business organization using a wireless signal from a wireless communication device;
- b) retrieving customer rating information associated with the customer using the CSIPC server(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22) and
- c) sending the customer sales information to the wireless communication device from the CSIPC server using a wireless signal, wherein the customer sales information is based on the customer rating information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 22, Birkhead discloses wherein the wireless communication device and the CSIPC server communicate via a public switched telephone network (PSTN). (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 23, Birkhead discloses wherein the wireless communication device and the CSIPC server communicate via the Internet. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 24, Birkhead discloses a method for providing customer sales information, the method comprising:

- a) sending a request for customer sales information from a member of a business organization to a customer sales information processing and communication (CSIPC) server associated with the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)
- b) retrieving customer rating information associated with the

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telephone number using the CSIPC server; and

c) sending the customer sales information to the terminal from the CSIPC server, wherein the customer sales information is based on the customer rating information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 25, Birkhead discloses wherein the customer sales information includes the name of a customer associated with the telephone number in a database of the CSIPC server. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 26, Birkhead discloses a method for providing customer sales information, the method comprising:

a) sending a request for customer sales information associated with a customer from a requester to a customer sales information processing and communication (CSIPC) server(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)

b) retrieving customer rating information associated with the customer using the CSIPC server; and

c) automatically determining a sales term using the CSIPC server, wherein the sales term is based on the customer rating information; and

d) sending the sales term to the requester from the CSIPC server. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 27, Birkhead discloses wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 28, Birkhead discloses wherein the credit rating information includes an external credit rating from an external credit rating agency (ECRA) system. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 29, Birkhead discloses wherein:

- a) the method further comprises retrieving internal customer information associated with the customer by a business organization associated with the CSIPC server from a database of the CSIPC server; and
- b) the customer rating information includes the internal customer information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 30, Birkhead discloses wherein the internal customer information includes payment history information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 31, Birkhead discloses wherein the credit rating information further includes an external credit rating from an external credit rating agency (ECRA) system. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 32, Birkhead discloses a method for providing customer sales information, the method comprising:

- a) sending a request for customer sales information associated with a customer to a customer sales information processing and communication (CSIPC) server associated with a business organization(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)
- b) retrieving internal customer information associated with the customer by the business organization from a database of the CSIPC server(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)
- c) retrieving external credit rating information associated with the customer from an external credit rating agency (ECRA) system;
- d) automatically determining an internal customer rating using the CSIPC server, wherein the internal customer rating is based on both the external credit rating and the internal customer information; and

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e) sending the internal customer rating to the requester from the CSIPC server. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 33, Birkhead discloses wherein the internal customer information includes payment history information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 34, Birkhead discloses a system for providing customer sales information, the system comprising:

- a) a customer sales information processing and communication (CSIPC) server associated with a business organization; and
- b) a terminal that is remote from the CSIPC server and operable to send a request for customer sales information associated with a customer from a member of the business organization to the CSIPC server (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)
- c) wherein the CSIPC server is configured to:
 - receive the request from the terminal;
 - retrieve external credit rating information associated with the customer from an external credit rating agency (ECRA) system, wherein the ECRA system is not associated with the organization (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)
 - and send the customer sales information to the terminal, wherein the customer sales information is based on the external credit rating information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 35, Birkhead discloses a system providing customer sales information, the system comprising:

- a) a customer sales information processing and communication (CSIPC) server associated with a business organization;
- and

b) a wireless communication device operable to send a request for customer sales information associated with a customer from a member of the business organization to the CSIPC server using a wireless signal;
c) wherein the CSIPC server is configured to:
receive the request from the wireless communication device;
retrieve customer rating information associated with the customer using the CSIPC server(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22) and
send the customer sales information to the wireless communication device using a wireless signal, wherein the customer sales information is based on the customer rating information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 36, Birkhead discloses a system for providing customer sales information, the system comprising:
a customer sales information processing and communication (CSIPC) server associated with a business organization, wherein the CSIPC server is configured to:
receive a request for customer sales information associated with a customer from a member of the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)
retrieve customer rating information associated with the telephone number; and
send the customer sales information to the terminal, wherein the customer sales information is based on the customer rating information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 37, Birkhead discloses a system for providing customer sales information, the system comprising:
a customer sales information processing and communication (CSIPC) server, wherein the CSIPC server is configured to:

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receive a request from a requester for customer sales information associated with a customer;

retrieve customer rating information associated with the customer(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22) automatically determine a sales term, wherein the sales term is based on the customer rating information; and

send the sales term to the requester. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 38, Birkhead discloses a system for providing customer sales information, the system comprising:

a customer sales information processing and communication (CSIPC) server associated with a business organization, wherein the CSIPC server is configured to:

receive a request from a requester for customer sales information associated with a customer(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)

retrieve internal customer information associated with the customer by the business organization from a database of the CSIPC server;

retrieve external credit rating information associated with the customer from an external credit rating agency (ECRA) system(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)

automatically determine an internal customer rating, wherein the internal customer rating is based on both the external credit rating and the internal customer information; and send the internal customer rating to the requester. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 39, Birkhead discloses a computer program product for providing customer sales information, the computer program product comprising:

a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising:

a) computer readable program code configured to send a request for customer sales

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information associated with a customer from a member of a business organization to a customer sales information processing and communication (CSIPC) server associated with the business organization using a terminal that is remote from the CSIPC server(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)

b) computer readable program code configured to retrieve external credit rating information associated with the customer from an external credit rating agency (ECRA) system using the CSIPC server, wherein the ECRA system is not associated with the organization(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)

and c) computer readable program code configured to send the customer sales information from the CSIPC server to the terminal, wherein the customer sales information is based on the external credit rating information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 40, Birkhead discloses a computer program product for providing customer sales information, the computer program product comprising:

a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising:

a) computer readable program code configured to send a request for customer sales information associated with a customer from a member of a business organization to a customer sales information processing and communication (CSIPC) server associated with the business organization using a wireless signal from a wireless communication device(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)

b) computer readable program code configured to retrieve customer rating information associated with the customer using the CSIPC server; and

c) computer readable program code configured to send the customer sales information to the wireless communication device from the CSIPC server using a wireless signal, wherein the customer sales information is based on the customer rating information.

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(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 41, Birkhead discloses a computer program product for providing customer sales information, the computer program product comprising:

a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising:

a) computer readable program code configured to receive a request for customer sales information sent from a member of a business organization to a customer sales information processing and communication (CSIPC) server associated with the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

b) computer readable program code configured to retrieve customer rating information associated with the telephone number using the CSIPC server; and

c) computer readable program code configured to send the customer sales information to the terminal from the CSIPC server, wherein the customer sales information is based on the customer rating information. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 42, Birkhead discloses a computer program product for providing customer sales information, the computer program product comprising:

a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising:

a) computer readable program code configured to receive a request for customer sales information associated with a customer sent from a requester to a customer sales information processing and communication (CSIPC) server(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22)

b) computer readable program code configured to retrieve customer rating information associated with the customer using the CSIPC

server; and c) computer readable program code configured to automatically determine a sales term using the CSIPC server, wherein the sales term is based on the customer rating information; and
d) computer readable program code configured to send the sales term to the requester from the CSIPC server. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

As per claim 43, Birkhead discloses a computer program product for providing customer sales information, the computer program product comprising:

a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising:

- a) computer readable program code configured to receive a request for customer sales information associated with a customer sent to a customer sales information processing and communication (CSIPC) server associated with a business organization;
- b) computer readable program code configured to retrieve internal customer information associated with the customer by the business organization from a database of the CSIPC server;
- c) computer readable program code configured to retrieve external credit rating information associated with the customer from an external credit rating agency (ECRA) system;
- d) computer readable program code configured to automatically determine an internal customer rating using the CSIPC server, wherein the internal customer rating is based on both the external credit rating and the internal customer information(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22) and e) computer readable program code configured to send the internal customer rating to the requester from the CSIPC server. (see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

Conclusion

3. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Walker et al (US 2001/0042785 A1 PUB) teaches method and apparatus for funds and credit line transfer.

W eichert et al (US 2004,0117302 Pub) teaches payment management.

Jones er al. et all (US Patent 6, 021, 397) teaches financial advisory system.

5. Applicant's claims 1, 26, 48, 73, 95, 120, states " and when the sum of the current balance of the credit account and the maximum purchase value is greater than or equal to the first tier limit"

However the subject matter of a properly construed claim is defined by the terms that limit its

scope. It is this subject matter that must be examined. As a general matter, the grammar

and intended meaning of terms used in a claim will dictate whether the language limits the

claim scope. Language that suggests or makes optional but does not require steps to be

performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. The following are examples of language that may raise a question

as to the limiting effect of the language in a claim:

- (A) statements of intended use or field of use,
- (B) "adapted to" or "adapted for" clauses,
- (C) "wherein" clauses, or
- (D) "whereby" clauses.

This list of examples is not intended to be exhaustive. See also MPEP § 2111.04.

**>USPTO personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim should not be read into the claim. E-Pass Techs., Inc. v. 3Com Corp., 343 F.3d 1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) (claims must be interpreted "in view of the specification" without importing limitations from the specification into the

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claims unnecessarily). In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989) ("During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow.... The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of language explored, and clarification imposed.... An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.").

Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim. Toro Co. v. White Consolidated Industries Inc., 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999) (meaning of words used in a claim is not construed in a "lexicographic vacuum, but in the context of the specification and drawings."). Any special meaning assigned to a term "must be sufficiently clear in the specification that any departure from common usage would be so understood by a person of experience in the field of the invention." Multiform Desiccants Inc. v. Medzam Ltd., 133 F.3d 1473, 1477, 45 USPQ2d 1429, 1432 (Fed. Cir. 1998). See also MPEP § 2111.01.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

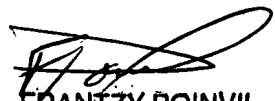
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

Sept 9, 2007


FRANTZY POINVIL
PRIMARY EXAMINER
Au 3692